

May 14, 2010

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Re: *In the Matter of the Denial of Designation as a Critical Access Dental
Provider of Jones and Hauge Dental.*
OAH Docket No. 3-1800-20927-2

Dear Counsel:

This letter constitutes the Third Prehearing Order regarding matters discussed in the telephone prehearing conference held on May 11, 2010. Mr. Alpert and Ms. Windels appeared for the Department of Human Services (Department); Mr. Atmore appeared for Jones and Hauge Dental (Respondent).

During the conference call, I granted the Department's motion for an extension of time to provide a disclosure of expert opinions, over the objection of Mr. Atmore. I granted the extension because, under the schedule the parties have agreed to, it would result in only a two-week delay in the hearing, which was scheduled to take place June 23-25, 2010. Nonetheless, given the cumulative time that has passed since the Respondent requested a contested case hearing, no further extensions will be granted.

We set the following schedule:

- June 3, 2010: Deadline for the Department to disclose all expert opinions to be offered at hearing, in compliance with the requirements of Minn. R. Civ. P. 26.02(e)(1)(A).
- June 23, 2010: Deadline for the Respondent to disclose any expert opinions responsive to the Department's expert disclosure, in compliance with the requirements of Minn. R. Civ. P. 26.02(e)(1)(A).

- June 30, 2010: Deadline for the parties to exchange all exhibits they intend to offer into evidence at the hearing, along with a witness list containing a brief summary of the testimony anticipated for each witness. The parties should send a copy of the exhibit and witness lists to the ALJ.

- July 13-15, 2010: Hearing, to take place at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota.

Sincerely,

s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY
Administrative Law Judge

Telephone: (651) 361-7848

cc: Docket Coordinator